

Express Mail Label No.: EV 328211229 US

Date of Deposit: September 17, 2004

Attorney Docket No. 22531-509

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Digicaylioglu et al.
APPLICATION NO: 10/810,362 **EXAMINER:** Not yet assigned
FILING DATE: March 25, 2004 **ART UNIT:** 1648
FOR: PHARMACEUTICAL COMPOSITIONS FOR TREATING PAINFUL
NEUROPATHY AND METHODS OF TREATING SAME

MAIL STOP MISSING PARTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

The following are enclosed herewith for filing in the above-identified application:


1. Response to Notice to File Missing Parts (1 pg.);
2. Copy of Notice to File Missing Parts, mailed June 17, 2004 (2 pgs.);
3. Executed Combined Declaration and Power of Attorney (3 pgs);
4. Initial Paper Copy of the "Sequence Listing" (5 pgs.);
5. Initial Computer Readable Form Copy of the "Sequence Listing" (1 diskette);
6. Statement in Support of Computer Readable Form Submission under 37 C.F.R. § 1.821(f) (1 pg.);
7. Preliminary Amendment (4 pgs.);
8. Check No. 19349 in the amount of \$65.00 to cover processing fee under 37 C.F.R. § 1.16(e);
9. Petition for Extension of Time (1 pg. in duplicate);
10. Check No. 19350 in the amount of \$55.00 to cover the extension fee under 37 C.F.R. § 1.17(a)(1); and
11. Return postcard.

Digicaylioglu, *et al.*
10/810,362

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at the number provided below.

The Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment, to Deposit Account No. 50-0311, Reference No. 22531-509. A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,

 **Reg No 55,456**
Sor: Ivor R. Elrifi, Reg. No. 39,529
Attorney for Applicants
c/o MINTZ, LEVIN
Tel: (617) 542-6000
Fax: (617) 542-2241
Customer No.: 30623

Dated: September 17, 2004

TRA 1958716v1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



APPLICANTS: Digicaylioglu et al.
SERIAL NUMBER: 10/810,362 EXAMINER: Not Yet Assigned
FILING DATE: March 25, 2004 ART UNIT: 1648
FOR: PHARMACEUTICAL COMPOSITIONS FOR TREATING PAINFUL
NEUROPATHY AND METHODS OF TREATING SAME

Mail Stop MISSING PARTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


RESPONSE TO NOTICE TO FILE MISSING PARTS

In response to the Notice to File Missing Parts of Nonprovisional Application mailed June 17, 2004, Applicants submit herein an executed Combined Declaration and Power of Attorney form, payment of the surcharge of \$65.00 as set forth in 37 C.F.R. §1.16(e), a copy of the Notice to File Missing Parts of Nonprovisional Application, Preliminary Amendment, Petition for One-Month Extension of Time, a check in the amount of \$55.00 to cover the Petition fee, a "paper copy" of the sequence listing, Statement in Support of CRF, and electronic copy of sequence listing. This response is due on or before September 17, 2004, with the extension.

Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 22531-509.

Respectfully submitted,

Dated: September 17, 2004

Sur:  *Reg. No. 39,529*
Ivor R. Elrifi, Reg. No. 39,529
Attorney for Applicants
c/o MINTZ, LEVIN
Tel: (617) 542-6000
Fax: (617) 542-2241
Customer No.: 30623



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/810,362	03/25/2004	Murat Digicaylioglu	22531-509

30623
MINTZ, LEVIN, COHN, FERRIS, GLOVSKY
AND POPEO, P.C.
ONE FINANCIAL CENTER
BOSTON, MA 02111

CONFIRMATION NO. 1256

FORMALITIES LETTER



OC000000012968440

Date Mailed: 06/17/2004



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216

09/21/2004 HBELETE1-00000005 10810362

65.00 00

01 FC:2051

09/21/2004 HBELETE1 00000005 10810362

65.00 00

01 FC:2051

- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE